

Shunichi SATO, reissue application no. 10/603,418
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Dkt. 2271/53467-A1

REMARKS

Claims 22, 38 and 60-68 were pending, with claims 1-21, 23-37, 39-59 and 69 having previously been canceled, without prejudice or disclaimer. By this Amendment, claim 63 has been canceled, without prejudice or disclaimer. Claims 22, 38, 60-62 and 64-68 remain pending.

The March 9, 2009 Advisory Action indicated that a new oath or declaration is required.

A Reissue Application Declaration By The Inventor is attached as **Exhibit A** hereto.

The Advisory Action also indicated that claim 63 presents an issue of recapture.

By this Amendment, claim 63 has been canceled, without prejudice or disclaimer.

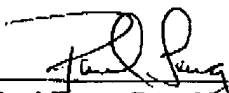
In addition, the specification has been amended to include a cross reference to co-pending reissue application no. 09/860,369, filed June 24, 2003, and indicate that this reissue application is a continuation of reissue application no. 09/860,369.

Accordingly, applicant submits that the application is now in condition for allowance, and earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Patent Office is hereby authorized to charge any required fees, and to credit any overpayment, to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



Paul Teng, Reg. No. 40,837
Attorney for Applicant
Cooper & Dunham LLP
Tel.: (212) 278-0400

EXHIBIT A

to
SUPPLEMENTAL AMENDMENT
(Reissue Application No. 10/603,418)

PTO/SB/51 (05-08)

Approved for use through 08/31/2010. OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)

2271/53467-A1

I hereby declare that:

Each inventor's residence, mailing address and citizenship are stated below next to their name.

I believe the inventors named below to be the original and first inventor(s) of the subject matter which is described and claimed in patent number 5,904,945 granted May 18, 1999reissue patent is sought on the invention entitled Methods For Growing Semiconductors And Devices Thereof and for which a

From The Alloy Semiconductor GaInNAs

the specification of which



is attached hereto.

was filed on June 24, 2003as reissue application number 10/603,418

and was amended on _____

(If applicable)

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.



I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b). Attached is form PTO/SB/02B (or equivalent) listing the foreign applications.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)



by reason of a defective specification or drawing.



by reason of the patentee claiming more or less than he had the right to claim in the patent.



by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

The patent claims are too narrow to protect a method for growing at least one layer of III-V alloy semiconductor on a semiconductor substrate, that does NOT require using AsH3.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.175. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)				Docket Number (Optional) 2271/53467-A1	
All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.					
Note: To appoint a power of attorney, use form PTO/SB/81.					
Correspondence Address: Direct all communications about the application to:					
<input checked="" type="checkbox"/> The address associated with Customer Number: 23432					
OR					
<input type="checkbox"/> Firm or Individual Name	COOPER & DUNHAM LLP				
Address	30 Rockefeller Plaza, 20th Floor				
City	New York	State	New York	Zip	10112
Country	USA				
Telephone	(212) 278-0400	Email	patentdocketing@cooperdunham.com		
<p>WARNING:</p> <p>Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.</p>					
Full name of sole or first inventor (given name, family name) Shunichi SATO					
Inventor's signature <i>Shunichi Sato</i>			Date April 30, 2009		
Residence MIYAGI-KEN, JAPAN			Citizenship JAPAN		
Mailing Address Ricoh Company, Ltd., 3-6, Nakamagome 1-chome, Ohta-ku, Tokyo 143-8555, JAPAN					
Full name of second joint inventor (given name, family name)					
Inventor's signature			Date		
Residence			Citizenship		
Mailing Address					
<input type="checkbox"/> Additional joint inventors or legal representative(s) are named on separately numbered sheets forms PTO/SB/02A or 02LR attached hereto.					

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PTO/SB/02B (08-03)

Approved for use through 08/31/2003, OMB 0651-0032

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DECLARATION – Supplemental Priority Data Sheet 2271/53467 A.I.**Foreign applications:**

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
8-114177	JAPAN	04/11/1996	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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